

APR. 25. 2007 4:37PM

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IAP12 Rec'd PCT/PTO 25 APR 2007

NO. 920 P. 1

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NAME:	FACSIMILE:
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FROM: Michael R. Ward
Reg. No. 38,651

DATE: April 25, 2007

Number of pages with cover page:	8	
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correct:8701/LX03**CAUTION - CONFIDENTIAL**

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Comments:

ATTORNEY DOCKET NO.: 514862003600
SERIAL NO.: 10/581,507
FILING DATE: June 1, 2006
INVENTOR(S): Marie HOLMGREN and Anifa SELLSTEDT et al.
TITLE: FERMENTATION PROCESS, STARTER CULTURE AND GROWTH
MEDIUM

Papers attached herewith:

1. Transmittal (4 pages in dup.)
2. Copy of Response to Missing Parts Notice (2 pages)
3. Declaration Signed (1 page)

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NO. 920 P. 2

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PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0851-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 514882003600
		U.S. APPLICATION NO. (If known, see 37 CFR 1.6) 10/581,507
INTERNATIONAL APPLICATION NO. PCT/SE2004/001788	INTERNATIONAL FILING DATE 1 December 2004	PRIORITY DATE CLAIMED 1 December 2003
TITLE OF INVENTION FERMENTATION PROCESS, STARTER CULTURE AND GROWTH MEDIUM		
APPLICANT(S) FOR DO/EO/US Marie HOLMGREN and Anita SELLSTEDT		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). (1 page **SIGNED**)
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A preliminary amendment.
- ☐ An Application Data Sheet under 37 CFR 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: **Copy of Notice of Missing Parts Notice (2 pages)**

page 1 of 2

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PTO-1390 (Rev. 02-2005)

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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/581,507		PCT/SE2004/001786		614862003600	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input type="checkbox"/> Basic patent fee			\$	
22.	<input type="checkbox"/> Examination fee			\$	
If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)				\$100	
All other situations				\$200	
23.	<input type="checkbox"/> Search fee			\$	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations				\$500	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	- 0 =	/ 50 =	- 0 =	x	\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$	130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =		x	\$	
Independent claims	- 3 =		x	\$	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				\$	
TOTAL OF ABOVE CALCULATIONS =				\$	130.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.				\$	85.00
SUBTOTAL =				\$	85.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$	65.00
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$	65.00
				Amount to be refunded:	\$
				Amount to be charged:	\$65.00
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>\$65.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p align="right"><i>Michael R. Ward</i> SIGNATURE: <u>MICHAEL R. WARD (April 25, 2007)</u> NAME <u>38,651</u> REGISTRATION NUMBER</p> <p>CUSTOMER NUMBER: 20872</p>					

FORM PTO-1390 (REV. 12-2004)

page 2 of 2

SF- I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. 571/273-8300, on the date shown below.

Dated: April 25, 2007

Signature: _____

(Lila Olson)

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INTERNATIONAL APPLICATION NO. PCT/SE2004/001786	INTERNATIONAL FILING DATE 1 December 2004	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/581,507
TITLE OF INVENTION FERMENTATION PROCESS, STARTER CULTURE AND GROWTH MEDIUM		PRIORITY DATE CLAIMED 1 December 2003
APPLICANT(S) FOR DO/EO/US Marie HOLMÖREN and Anita SELLSTEDT		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

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- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
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 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
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 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
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- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: **Copy of Notice of Missing Parts Notice (2 pages)**

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,507	Marie HOLMGREN	514862003600

INTERNATIONAL APPLICATION NO.
PCT/SE04/01786

I.A. FILING DATE	PRIORITY DATE
12/01/2004	12/01/2003

20872

MORRISON & FOERSTER LLP
425 MARKET STREET
SAN FRANCISCO, CA 94105-2482

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APR 12 2007

MORRISON & FOERSTER

CONFIRMATION NO. 8409

371 FORMALITIES LETTER

OC000000023272845

COPY

Date Mailed: 04/09/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 06/01/2006
- Copy of the International Search Report filed on 06/01/2006
- Preliminary Amendments filed on 06/01/2006
- Information Disclosure Statements filed on 06/01/2006
- Oath or Declaration filed on 06/01/2006
- Request for Immediate Examination filed on 06/01/2006
- U.S. Basic National Fees filed on 06/01/2006
- Priority Documents filed on 06/01/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$85 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Missing Requirements Due
DOCKETED *SB*

6/9/07

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Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.138(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.6)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,507	PCT/SE04/01786	514862003600

FORM PCT/DO/EO/905 (371 Formalities Notice)